

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MACK BUTLER, DASHAUN SIMS,
CLYDE LOFTON, PAUL ALVER,
KEVIN KING, and RICKEY LYNCH,
on behalf of themselves and all others
similarly situated,

Docket No: 11-cv-02602 (JS)(GRB)

Plaintiffs,

-against-

SUFFOLK COUNTY

Defendant.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Declaration of E. Christopher Murray dated August 15, 2024, the Declaration of Michael Franchi dated August 14, 2024, the accompanying memorandum of law, and all prior pleadings and proceedings in this action, Defendant Suffolk County (the “County”) will move this Court before the Honorable Joanna Seybert, U.S.D.J., at the United States District Court for the Eastern District of New York located at 100 Federal Plaza, Courtroom 1030 in Central Islip, New York 11722, at 10:00 a.m. on September 10, 2024, for an Order pursuant to Rule 23 of the Federal Rules of Civil Procedure decertifying the classes previously certified by this Court pursuant to its Order dated March 19, 2013 or, in the alternative, the Court should amend the class definitions to limit the members thereof to prisoners and/or detainees housed in the SCCF for the period beginning April 5, 2009 through and including April 5, 2013, and awarding the County such other and further relief as the Court deems just and proper.

Dated: Uniondale, New York
August 16, 2024

RIVKIN RADLER LLP

By: /s/ E. Christopher Murray

E. Christopher Murray

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